



एस. के. गुप्ता
S. K. GUPTA
सचिव / Secretary

D.O. No: 305-14/2014-QoS

Dear Madam

Department of Telecommunications (DoT) vide letter No.12-30/NT/2015/OTT(Pt) dated 3.3.2016 sought the recommendations of TRAI on net neutrality including traffic management and economic, security and privacy aspects of OTT services, apart from other relevant standpoints as covered in the consultation paper dated 27.3.2015.

2. After receiving the above references, TRAI decided to deal with the issue of Net Neutrality first and in this context, a Pre-consultation Paper was issued on May 30, 2016, aimed at identifying the key issues that would help TRAI in taking further steps on the subject. Taking note of the responses from various stakeholders, TRAI issued a detailed consultation paper on January 4, 2017 that focused specifically on questions of requirements, design, scope and implementation of a Net Neutrality framework in India. Open House Discussions (OHD) on the issue were convened at Mumbai, Bengaluru and Delhi.

3. Based on the comments received and further analysis, the Authority has finalized its recommendation on "Net Neutrality". The same are enclosed herewith. Many of these recommendations contain issues relating to Quality of Service and TRAI may issue regulations in this regard, as and when deemed necessary, under the powers conferred upon it under Section 36 read with Section 11(1)(b)(v) of the TRAI Act, 1997. Further, TRAI will shortly issue a consultation paper on issues relating to regulatory aspects of OTT services. TRAI is also working on issues relating to privacy, security and ownership of data, keeping in view the recent developments in the matter such as decision of the Hon'ble Supreme Court in Retd. Justice K S Puttaswamy v. Union of India (W.P. (Civil) No. 494 of 2012) which has affirmed that the right to privacy constitutes an intrinsic part of the right to life and personal liberty under Article 21 and the freedoms guaranteed by Part III of the Constitution.

4. In keeping with practice, a copy of this letter along with the recommendations, is being placed on the website of TRAI www.trai.gov.in

With Warm Regards

Yours sincerely

[Signature]
(S.K. Gupta) 28/11/2017

Ms. Aruna Sundararajan
Secretary
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